

Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-05 H-01 INR-07
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FM AMEMBASSY OSLO
TO SECSTATE WASHDC 4706
INFO AMEMBASSY MOSCOW
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AMEMBASSY BONN

C O N F I D E N T I A L OSLO 5022

E.O. 11652: GDS
TAGS: PFOR, UR, SV, NO
SUBJECT: SVALBARD: NORWEGIAN PRO-MEMORIA OF SEPTEMBER 28, 1977

REF: OSLO 5021

1. THE FOLLOWING IS AN UNOFFICIAL TRANSLATION OF THE PRO-MEMORIA GIVEN BY NORWAY TO THE USSR ON SEPTEMBER 28, 1977. THE DOCUMENT IS CLASSIFIED CONFIDENTIAL BY THE GON.

2. BEGIN TEXT: 1. MOST RECENTLY THE SOVIETS HAVE DIRECTED CERTAIN COMMENTS TOWARD THE NORWEGIAN AUTHORITIES IN RELATION TO PORT CALLS MADE BY NORWEGIAN NAVAL UNITS TO SVALBARD. IN ORDER TO AVOID FURTHER MISUNDERSTANDINGS, THE NORWEGIAN SIDE WISHES TO EXPLAIN THE BASIC VIEWS WHICH HAVE GUIDED NORWEGIAN POLICY IN THIS AREA SINCE WE TOOK POSSESSION OF SVALBARD AS PART OF NORWEGIAN TERRITORY.

2. IN ACCORDANCE WITH THE SVALBARD TREATY, NORWAY POSSESSES SOVEREIGNTY OVER THE ISLAND GROUP. THIS IS CLEARLY STIPULATED IN THE TREATY, AND HAS BEEN UNDISPUTED
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AND RECOGNIZED IN INTERNATIONAL PRACTICE DURING THE TIME SINCE THE TREATY WAS ENTERED INTO. ON THE BASIS OF THIS, NORWAY EXERCISES THE NORMAL ASPECTS OF SOVEREIGNTY OVER THE ISLAND GROUP, IN OBSERVANCE OF THE CONDITIONS WHICH ARE STIPULATED IN THE SVALBARD TREATY. IT IS IN ACCORDANCE WITH NORWAY'S SOVEREIGNTY OVER SVALBARD, THAT NORWEGIAN NAVAL VESSELS CAN MAKE PORT CALLS IN HARBORS OF

THE ISLAND GROUP, AND TRAVEL IN ITS INTERIOR WATERWAYS AND OCEAN TERRITORY.

3. ARTICLE 9 OF THE SVALBARD TREATY CONTAINS RESOLUTIONS CONCERNING CERTAIN MILITARY ASPECTS. IN GENERAL, IT STIPULATES THAT THE ISLAND GROUP MUST NEVER BE UTILIZED FOR PURPOSES OF WAR. FURTHERMORE, NORWAY HAS COMMITTED ITSELF NOT TO CONSTRUCT ANY FORTIFICATIONS ON THE ISLAND OR ESTABLISH OR ALLOW THE ESTABLISHMENT OF ANY NAVAL BASE THERE. THE NORWEGIAN GOVERNMENT PLACES GREAT EMPHASIS ON THESE RESOLUTIONS, AND HAS IN ALL CONNECTIONS TO THIS SEEN TO MAKE SURE THAT COMPLIANCE WITH THEM IS A LINK IN WORKING TO SECURING A PEACEFUL DEVELOPMENT IN THE NORTHERN AREA. THEREFORE, THE NORWEGIAN SIDE HAS NOT ONLY COMPLIED WITH THE CONCRETE POINTS OF SAID ARTICLE, BUT HAS ALSO ABSTAINED FROM STEPS WHICH ARE NOT EVEN MENTIONED AMONG THE MILITARY ARRANGEMENTS NORWAY IS OBLIGATED TO NOT UNDERTAKE.

4. ARTICLE 9 IN THE SVALBARD TREATY CAN NOT, HOWEVER, BE INTERPRETED AS A CURTAILMENT IN THE RIGHT TO NORWEGIAN NAVAL VESSELS PORT CALLS ON SVALBARD OR TRANSIT ON THE WATERS OF THE ISLAND GROUP. IN ACCORDANCE WITH THE VIEW, NORWEGIAN NAVAL SHIPS HAVE, SINCE THE POSSESSION OF THE ISLAND GROUP IN 1926, CONSTANTLY AND REGULARLY UNDERTAKEN CRUISES TO SVALBARD. SUCH CRUISES ARE UNDERTAKEN FOR CONFIDENTIAL

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TRAINING, INSPECTION AND TRANSPORTATION PURPOSES AND DO NOT, OF COURSE, SERVE ANY PURPOSES OF WAR. THESE CRUISES HAVE NOT CAUSED ANY OBJECTIONS OR COMMENTS FROM THE OTHER TREATY PARTNERS.

5. EXERCISING ACTIVITIES OF FISHING INSPECTIONS ALSO BELONG AMONG THE NORMAL ASPECTS OF SOVEREIGNTY. INSPECTION FUNCTIONS MUST, OF COURSE, BE PERFORMED BY THE NATIONAL ORGANIZATIONS WHICH ARE CHARGED WITH SUCH TASKS. IN NORWAY THIS - AS IS SIMILAR IN THE CASE OF MANY OTHER COUNTRIES - HAS BEEN A TASK FOR THE NAVY. INSPECTION ACTIVITY IS NOT OF SUCH A CHARACTER THAT IT FALLS WITHIN THE FRAMEWORK OF THE ACTIVITY WHICH ACCORDING TO ARTICLE 9 OF THE SVALBARD TREATY CANNOT BE UNDERTAKEN WITHIN THE ISLAND GROUP.

6. THE RIGHT TO SEND NAVAL VESSELS TO SVALBARD RESULTS FROM SOVEREIGNTY OVER THE ISLAND GROUP. FOREIGN NAVAL VESSELS CAN, THEREFORE, ONLY VISIT THE ISLAND GROUPS AFTER RECEIVING ADVANCE PERMISSION. IN ACCORDANCE WITH THE NORWEGIAN GOVERNMENT'S POSITION TOWARD ARTICLE 9 OF THE SVALBARD TREATY SUCH PERMISSION IS ONLY RARELY GIVEN IN CASES OF EMERGENCY. END TEXT.

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